

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs.-

Case no. 2:21-cv-10620

JEANISIA SAQUISE ALLEN; FIRST
CHOICE TAX SOLUTIONS, LLC; THE
TAX EXPERTS, INC.; THE TAX EXPERTS,
LLC; and TOP NOTCH TAXES, INC.,

Defendants.

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RESPONSE TO ORDER TO SHOW CAUSE

The plaintiff, United States of America, responds to the Court's June 28, 2021 Order to Show Cause why this case should not be dismissed for failure to prosecute as to Defendants First Choice Tax Solutions, LLC, The Tax Experts, Inc., The Tax Experts, LLC, and Top Notch Taxes, Inc. (Docket no. 15.)

The United States filed this suit on March 22, 2021. The Defendants answered on May 7, 2021. (*See* docket no. 14, "Defendants' Answer to Plaintiff's Complaint and to Plaintiff's Request for Permanent Injunction and Other Relief.") We are currently awaiting the Court's order setting a scheduling conference and requiring the parties' filing of a discovery plan. Undersigned counsel has prepared a draft Joint Discovery Plan but has not yet shared or discussed it with opposing

counsel; undersigned counsel was first waiting to see the Court's Case Management and Scheduling Order in the related case *United States v. Powell*, case no. 2:21-cv-10622-MAG-KGA, in order to propose similar, but likely slightly staggered, deadlines in this case to allow for simultaneous discovery while avoiding Court conflicts, such as the trial dates. The scheduling order in that case was entered on June 22, 2021.

Here, all defendants were served on March 24, 2021 (docket nos. 4-8). On April 7, 2021, attorney Leon Weiss contacted undersigned counsel requesting an extension of time to answer the complaint on behalf of defendant Jeanisia Allen. Undersigned counsel agreed to the request, and specifically asked whether Mr. Weiss also represented the corporate defendants. Mr. Weiss replied that he did represent all defendants.

On April 22, 2021, Mr. Weiss filed a notice of appearance on behalf of the defendants, although the notice omitted Jeanisia Allen's name and only specifically referred to the corporate defendants. (*See* docket no. 12.) The *docket* text states that the appearance is by "Brad B. Aldrich appearing on behalf of Jeanisia Saquise Williams." On that date, the defendants also filed an unopposed motion to extend the time to answer to the complaint until May 7, 2021 (docket no. 7). The Court granted that motion on April 23, 2021 (docket no. 13). As noted above, the

Defendants answered on May 7, 2021. The government has acted with the belief that the answer was filed on behalf of all defendants.

Therefore, we have diligently prosecuted the case and are awaiting the Court's order setting a scheduling conference and requiring the filing of a proposed discovery plan. We will timely file a discovery plan as required in advance of that scheduling conference. If there are any ambiguities regarding representation of the defendants, those may be resolved at the conference.

Dated: June 28, 2021

Respectfully submitted,

SAIMA SHAFIQ MOHSIN
Acting United States Attorney
DAVID A. HUBBERT
Acting Assistant Attorney General

s/ Daniel A. Applegate
DANIEL A. APPLGATE (P70452)
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 7238, Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 353-8180
Fax: (202) 514-6770
daniel.a.applegate@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2021, I electronically filed the foregoing document using the CM/ECF system, which will send notification to all registered users.

s/ Daniel A. Applegate
DANIEL A. APPLEGATE
Trial Attorney, Tax Division